

# HOUSE BILL 1472

M2

(0lr3400)

## ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs* —

Introduced by **Dorchester County Delegation, Somerset County Delegation,  
and Wicomico County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Hunting Wild Waterfowl – Dorchester, St. Mary's, Somerset, and Wicomico**  
3 **Counties**

4 FOR the purpose of altering the location in which a person may hunt wild waterfowl  
5 by certain methods in the waters of Dorchester, St. Mary's, Somerset, and  
6 Wicomico counties; decreasing the distance from shore that the Department of  
7 Natural Resources prescribes by regulation for the hunting of wild waterfowl by  
8 certain methods in the waters of Dorchester, St. Mary's, Somerset, and  
9 Wicomico counties; and generally relating to hunting wild waterfowl in the  
10 waters of Dorchester, St. Mary's, Somerset, and Wicomico counties.

11 BY repealing and reenacting, with amendments,  
12 Article – Natural Resources  
13 Section 10–604 through 10–606

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 Annotated Code of Maryland  
2 (2007 Replacement Volume and 2009 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article – Natural Resources**

6 10–604.

7 (a) A person may hunt wild waterfowl while standing in water on the natural  
8 bottom only in the waters of the Susquehanna Flats, the nontidal waters of the  
9 Potomac River, **THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**  
10 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**  
11 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**  
12 **COUNTIES**, and in other waters of the State in areas and on days the Department  
13 prescribes by regulation.

14 (b) A person may hunt wild waterfowl while standing in water on the natural  
15 bottom at a licensed offshore stationary blind or blind site.

16 (c) A person hunting wild waterfowl while standing in water on the natural  
17 bottom shall remain at least 250 yards from all offshore stationary blinds or blind sites  
18 or another person hunting wild waterfowl offshore.

19 (d) (1) A person hunting wild waterfowl while standing in water on the  
20 natural bottom shall be at least 800 yards from shore including shore emerging at  
21 mean low water except in the waters of the Potomac River, in the waters of the  
22 Susquehanna Flats, in the waters of Harford and Baltimore counties, **IN THE WATERS**  
23 **OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG**  
24 **ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE**  
25 **WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES**, or while  
26 hunting at a licensed stationary blind or blind site.

27 (2) A person hunting wild waterfowl while standing in water on the  
28 natural bottom shall be at least 400 yards from shore, including shore emerging at  
29 mean low water, in the following areas:

30 (i) The waters of the Susquehanna Flats;

31 (ii) The tidal waters of the Potomac River that the Department  
32 by regulation prescribes for hunting under subsection (a) of this section; **[and]**

33 (iii) The waters of Harford ~~and~~, Baltimore, **AND ST. MARY'S**  
34 counties that the Department by regulation prescribes for hunting under subsection  
35 (a) of this section; **AND**

1                   **(IV) THE WATERS OF TANGIER SOUND, FISHING BAY,**  
 2 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**  
 3 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**  
 4 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**  
 5 **FOR HUNTING UNDER SUBSECTION (A) OF THIS SECTION.**

6           (e)     A person may not hunt wild waterfowl while standing in State waters on  
 7 the natural bottom when the natural bottom is privately owned, unless the hunter has  
 8 the written permission of the landowner.

9           (f)     Except at a licensed stationary blind or blind site, a nonresident may not  
 10 hunt wild waterfowl while standing in water on the natural bottom unless  
 11 accompanied by a Maryland resident.

12     10-605.

13           (a)     A person may hunt wild waterfowl from a boat that is drifting or being  
 14 sculled, only in:

15                   (1)     The nontidal waters of the Potomac River, Conococheague Creek,  
 16 and the Monocacy River;

17                   (2)     The Susquehanna Flats, Elk River, and that portion of the  
 18 Sassafras River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

19                   (3)     Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman  
 20 Bay, and their respective tributaries in Worcester County;

21                   **(4)     THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**  
 22 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**  
 23 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**  
 24 **COUNTIES; or**

25                   **[(4)] (5)     Zones prescribed by the Department by regulation.**

26           (b)     While hunting wild waterfowl from a boat that is drifting or being  
 27 sculled, a person shall remain at least 250 yards from all offshore stationary blinds or  
 28 blind sites or another person hunting wild waterfowl offshore.

29           (c)     (1)     A person hunting wild waterfowl from a boat that is drifting or  
 30 being sculled shall be at least 800 yards from shore including shore emerging at mean  
 31 low water except in the waters of the Potomac River, in the waters of the  
 32 Susquehanna Flats, in the waters of Harford ~~and~~ Baltimore, **AND ST. MARY'S**  
 33 **counties, IN THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**  
 34 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**

1 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**  
 2 **COUNTIES**, in Conococheague Creek, and in the Monocacy River.

3 (2) A person hunting wild waterfowl from a boat that is drifting or  
 4 being sculled shall be at least 400 yards from shore, including shore emerging at mean  
 5 low water, in the following areas:

6 (i) The waters of the Susquehanna Flats;

7 (ii) The tidal waters of the Potomac River that the Department  
 8 by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section;  
 9 [and]

10 (iii) The waters of Harford ~~and~~, Baltimore, **AND ST. MARY'S**  
 11 counties that the Department by regulation prescribes for hunting under subsection  
 12 [(a)(4)] **(A)(5)** of this section; **AND**

13 **(IV) THE WATERS OF TANGIER SOUND, FISHING BAY,**  
 14 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**  
 15 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**  
 16 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**  
 17 **FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.**

18 (d) A nonresident may not hunt wild waterfowl from a boat that is drifting or  
 19 being sculled unless accompanied by a Maryland resident.

20 10-606.

21 (a) A person may hunt wild waterfowl from a boat that is anchored only in:

22 (1) The nontidal waters of the Potomac River;

23 (2) The waters of the Susquehanna Flats, Elk River, and that portion  
 24 of the Sassafra River in Cecil County located west of 75 degrees 58 minutes 45  
 25 seconds;

26 (3) The waters of Chincoteague Bay, Sinepuxent Bay, Isle of Wight,  
 27 Assawoman Bay, and their respective tributaries in Worcester County;

28 **(4) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**  
 29 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**  
 30 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**  
 31 **COUNTIES; or**

32 **[(4)] (5)** Zones prescribed by the Department by regulation.

1 (b) A person may hunt wild waterfowl from a boat that is anchored at a  
2 licensed offshore stationary blind or blind site.

3 (c) A person hunting wild waterfowl from a boat that is anchored shall  
4 remain 250 yards from all offshore stationary blinds or blind sites or another person  
5 hunting wild waterfowl offshore.

6 (d) (1) A person hunting wild waterfowl from a boat that is anchored shall  
7 be at least 800 yards from shore including shore emerging at mean low water except in  
8 the waters of the Potomac River, in the waters of the Susquehanna Flats, in the  
9 waters of Harford and Baltimore counties, **IN THE WATERS OF TANGIER SOUND,**  
10 **FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER,**  
11 **POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER,**  
12 **SOMERSET, AND WICOMICO COUNTIES,** or unless anchored at a licensed offshore  
13 stationary blind or blind site.

14 (2) A person hunting wild waterfowl from a boat that is anchored shall  
15 be at least 400 yards from shore, including shore emerging at mean low water, in the  
16 following areas:

17 (i) The waters of the Susquehanna Flats;

18 (ii) The tidal waters of the Potomac River that the Department  
19 by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section;  
20 [and]

21 (iii) The waters of Harford ~~and~~, Baltimore, **AND ST. MARY'S**  
22 counties that the Department by regulation prescribes for hunting under subsection  
23 [(a)(4)] **(A)(5)** of this section; **AND**

24 **(IV) THE WATERS OF TANGIER SOUND, FISHING BAY,**  
25 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**  
26 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**  
27 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**  
28 **FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.**

29 (e) Except at a licensed stationary blind or blind site, a nonresident may not  
30 hunt wild waterfowl from a boat that is anchored unless accompanied by a Maryland  
31 resident.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2010.